

Fiscal Estimate - 2015 Session

☒ Original ☐ Updated ☐ Corrected ☐ Supplemental

LRB Number 15-3588/2		Introduction Number SB-459	
Description Regulation of navigable waters and wetlands			
Fiscal Effect			
State:			
<input type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations		<input type="checkbox"/> Increase Existing Revenues	
<input type="checkbox"/> Decrease Existing Appropriations		<input checked="" type="checkbox"/> Decrease Existing Revenues	
<input type="checkbox"/> Create New Appropriations		<input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs		3. <input type="checkbox"/> Increase Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
2. <input type="checkbox"/> Decrease Costs		4. <input type="checkbox"/> Decrease Revenue	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	
5. Types of Local Government Units Affected			
<input type="checkbox"/> Towns		<input type="checkbox"/> Village <input type="checkbox"/> Cities	
<input type="checkbox"/> Counties		<input type="checkbox"/> Others	
<input type="checkbox"/> School Districts		<input type="checkbox"/> WTCS Districts	
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input checked="" type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS 20.370 (4)(bi)			
Agency/Prepared By		Authorized Signature	
DNR/ Joe Polasek (608) 266-2794		Joe Polasek (608) 266-2794	
		Date	
		12/28/2015	

Fiscal Estimate Narratives

DNR 12/28/2015

LRB Number	15-3588/2	Introduction Number	SB-459	Estimate Type	Original
Description					
Regulation of navigable waters and wetlands					

Assumptions Used in Arriving at Fiscal Estimate

The bill makes various changes to the regulation of navigable waters, artificial water bodies, wetlands, and nonpoint source pollution.

A. Waterway and Wetlands

1. General Permitting (G.P.) – The Department assumes it will create two G.P.s as part of implementing the bill

a. Small scale dredging G.P. – based on 2014-15 experience, 65% (200) of 309 dredging Individual Permits (I.P.s) are in the category that would become eligible for a G.P. for small scale dredging. This could result in an estimated annual fee revenue decrease of \$60,000/year based on assumed I.P. fees of \$603 vs. G.P. fees of \$303.

b. Boat shelter G.P. – based on 2014-15 experience, 21 I.P. boat shelters would be eligible for a G.P. This could result in an annual estimated fee revenue decrease of \$6,300/year based on assumed I.P. fees of \$603 vs. G.P. fees of \$303.

2. Permit Exemptions

a. A wetland exemption for roadside ditches and stormwater detention basins and associated conveyance features could result in an estimated annual decrease in I.P. fee revenue of \$59,200/year based on an assumption these two types of wetland activities that require an I.P. would be exempt and based upon approximately 74 2015 wetland exemption requests and wetland I.P. fees of \$800.

b. An exemption for dredging on exposed bed could result in an annual estimated decrease in permit fee revenue of \$9,100/year based on an assumption that 16 exposed bed dredging G.P.s and seven exposed bed dredging I.P.s would become exempt.

c. Enforcement and compliance costs for the aforementioned permit exemptions are estimated to annually increase by \$4,400/year based on 2014-15 experience, staff spent an average of 40 hours/enforcement action for three violations of dredging on exposed lakebed for a total of 120 hours of staff time and \$4,442.

d. Unconnected ponds – the bill allows for existing and proposed unconnected ponds to be dredged without a permit, which could result in an estimated annual decrease of \$7,300/year in permit fee revenue based on experience for 2014-2015 of 20 unconnected ponds with after-the-fact G.P. needed dredging and two ponds after-the-fact I.P. needed dredging.

3. Lakebed fill grandfathering – The Department would charge for ordinary high water mark determinations for an estimated annual fee revenue increase of \$10,900/year. Based on experience in 2014-2015, DNR staff made 49 ordinary high water mark (OHWM) determinations at six hours/determination for a total of 290 hours and \$10,884.

4. Areas of Special Natural Resource Interest (ASNRI) mapping – the bill proposes to modify the existing codified list of ASNRIs, limiting waterway designations related to endangered/threatened species to those areas with critical habitat for the species or adjacent to the critical habitat. The Department does not have data to comprehensively map or designate these areas. The fiscal impact could range from large to negligible, depending on the effort the Department is required to undertake inventorying and surveying Wisconsin waters to determine if they contain critical habitat and adjacent habitat for endangered or threatened species. An estimated 25% of all streams and 32% of all lakes are ASNRI because of the presence of an endangered or threatened species. An inventory for critical habitat on one waterway is

estimated to take 84 hours of field biologist staff time - 64 hours of field work, and 20 hours for review and data distribution, for an estimated one-time cost of \$3,085 per waterway. Ongoing costs for an LTE GIS specialist, software maintenance and supplies are estimated at \$49,400/year.

5. One-Time Implementation Costs – the bill is expected to result in increased one-time workload related to updating program procedures and databases, developing G.P.s, revising application materials, legal review of documents, training staff, and conducting customer outreach. Implementation is estimated to require a one-time expenditure of \$111,700 and 1.34 FTE.

B. Stormwater Management

Section 38 of the bill could decrease local government costs by providing municipalities a lower cost alternative for the location of a storm water management pond.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2015 Session

Detailed Estimate of Annual Fiscal Effect

☒ Original
 ☐ Updated
 ☐ Corrected
 ☐ Supplemental

LRB Number 15-3588/2	Introduction Number SB-459	
Description Regulation of navigable waters and wetlands		
I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect): Implementation is estimated to require a one-time expenditure of \$111,700 and 1.34 FTE, plus varying one-time costs to inventory and survey Wisconsin waters that are related to the ASNRI provisions of the bill.		
II. Annualized Costs:	Annualized Fiscal Impact on funds from:	
	Increased Costs	Decreased Costs
A. State Costs by Category		
State Operations - Salaries and Fringes	\$49,300	\$
(FTE Position Changes)		
State Operations - Other Costs	4,500	
Local Assistance		
Aids to Individuals or Organizations		
TOTAL State Costs by Category	\$53,800	\$
B. State Costs by Source of Funds		
GPR		
FED		
PRO/PRS	53,800	
SEG/SEG-S		
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)		
	Increased Rev	Decreased Rev
GPR Taxes	\$	\$
GPR Earned		
FED		
PRO/PRS		-131,000
SEG/SEG-S		
TOTAL State Revenues	\$	\$-131,000
NET ANNUALIZED FISCAL IMPACT		
	State	Local
NET CHANGE IN COSTS	\$53,800	\$
NET CHANGE IN REVENUE	\$-131,000	\$
Agency/Prepared By		
Authorized Signature		Date
DNR/ Joe Polasek (608) 266-2794		12/28/2015